

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HARRY SMITH, JR., and ROSLYN)
WOODARD SMITH, individually and as)
Administrators of the ESTATE OF HARRY)
SMITH, III)

Plaintiffs,)

v.)

CITY OF WILMINGTON, JOHN)
CIRITELLA, THOMAS DEMPSEY and)
MATTHEW KURTEN,)

Defendants.)

C.A. No. 04-1254-GMS

JURY TRIAL DEMANDED

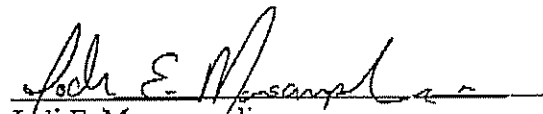
AFFIDAVIT OF JODI E. MARSANOPOLI

COUNTY OF PRINCE GEORGE'S)
STATE OF MARYLAND) SS:
)

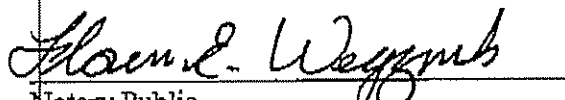
Jodi E. Marsanopoli, being first duly sworn, deposes and says that:

1. I am a Firearms and Toolmark Examiner for the Bureau of Alcohol, Tobacco and Firearms (the "ATF"). I work at the ATF's Forensic Science Laboratory for Washington, DC, which is located in Ammendale, Maryland.

2. Attached hereto as Exhibit 1 is a true and correct copy of a firearms and toolmark laboratory report that I prepared, which is dated February 26, 2004.


Jodi E. Marsanopoli

SWORN to and subscribed before me this
13th day of June, 2006.


Notary Public

FLORENCE E. WEGZNEK
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 1, 2007

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DISTRICT OF DELAWARE**

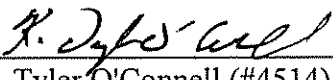
CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Kester I.H. Crosse, Esquire
Williams & Crosse
1214 King Street
Suite 300
Wilmington, DE 19801

I hereby certify that on June 14, 2006, I have sent by U.S. Regular Mail, the foregoing document to the following non-registered participants:

Anne T. Sulton, Esquire
Post Office Box 2763
Olympia, WA 98507



K. Tyler O'Connell (#4514)
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(302) 651-7700
Oconnell@rlf.com